

HOUSE BILL REPORT

HB 1310

As Reported by House Committee On:
Agriculture & Natural Resources

Title: An act relating to the enforcement of animal health laws.

Brief Description: Enforcing animal health laws.

Sponsors: Representatives B. Sullivan, Hailey, McCoy, Newhouse, Haler and Kenney; by request of Department of Agriculture.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/1/07, 2/22/07 [DP].

Brief Summary of Bill

- Authorizes specific actions by the Department of Agriculture and modifies certain timelines related to the monitoring, investigation, and enforcement of animal health laws and rules.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 12 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Warnick, Assistant Ranking Minority Member; Dickerson, Eickmeyer, Grant, Hailey, Kagi, Lantz, McCoy, Newhouse and VanDeWege.

Minority Report: Do not pass. Signed by 3 members: Representatives Kretz, Ranking Minority Member; Orcutt and Strow.

Staff: Meg Van Schoorl (786-7105).

Background:

Under the state's animal health statutes, the Director of the Department of Agriculture (Department) is required to supervise the prevention of the spread and suppression of infectious, contagious, communicable, or dangerous diseases affecting animals within, in transit through, or imported into the state. The Department's Animal Health Program monitors the movement of animals across state lines by reviewing health certificates, which

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are required for most animals entering the state, and issuing or denying required permits. The program also sets requirements for reporting and controlling certain diseases, conducts tests and inspections to detect specific diseases, and engages in emergency management planning to enable trace-back and disease control.

Summary of Bill:

- The Director of the Department of Agriculture (Director) is authorized to establish inspection points, stop vehicles transporting animals on public roads, and inspect them to check for accompanying valid health certificates, permits or other documents required under animal health statutes or rules. The vehicles must stop at any posted inspection point. The Director or appointed officers are also authorized to stop a vehicle on a public road at other than a posted inspection point if there is reasonable cause to believe the animals are being transported in violation of animal health laws or rules. The Director is authorized to issue notices of and enforce class 1 civil infractions if a person stopped while transporting animals is not carrying valid animal health documents.
- Animals that are imported into the state for immediate slaughter must be slaughtered or delivered to a slaughter establishment within three days after entry, not within seven days as in current law.
- A hold order issued by the Director due to concerns about disease, documents, or the well-being of animals is in effect for 14 days rather than seven as in current law and expires either when released by the Director or no later than midnight on the fourteenth day.
- A person violating the animal health statutes or rules may be assessed a civil penalty of \$1,000 or less per violation. The revenues must be deposited into the State General Fund.
- It is unlawful to intentionally falsely apply, alter, or remove an official animal health or identification tag, permanent mark, or other device.
- Livestock dealers must carry animal identification and animal health documents as required by the animal health and livestock identification statutes and rules.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill focuses on the need to strengthen enforcement of animal health laws when animals are brought into the state or change ownership. The bill does not revise existing animal health requirements. Contrary to concerns we have heard, it also does not apply to rabbits for show, dogs and cats, taking horses on trail rides or to show, taking a goat to the veterinarian across state lines, or moving cattle from one pasture to another. An increase in the Department's authority will take care of unscrupulous people, including repeat offenders. These are enforcement tools that have been effective in other Department programs. The Department has received calls reporting that some people moving livestock through the state are not following the rules. The cow infected with bovine spongiform encephalitis (BSE) in Mabton was brought in from Canada and did not meet the animal health regulations. Sometimes cattle are said to be brought in for slaughter, in which case they do not need health certificates. Instead of going to slaughter, they are put back into production. My family has had dairy cattle for 130 years, and I see this bill as making minor tweaks to existing law because cattle jockeys are thumbing their noses at the rules. Much of the previous negative testimony was in reference to sections already in the law. This bill was proposed at the request of the agriculture industry.

(Opposed) It is a waste of time to get animal health certificates. We need more public education as to what laws and rules are already on the books. This is a back-door way to implement the national animal identification system (NAIS). Registering our premises will in effect make us subject to government search and seizure. This could apply to pets and will harm food security and my ability to buy locally. House Bill 1310 would decrease the profitability of our operation and also the sales of farm stores, tack stores, and fuel stations because we would decrease trips with our animals for business and pleasure. Vagueness and the constitutional issues are why I oppose House Bill 1310. The bill contains very broad language which makes the public unable to determine what this legislation means and how it will affect them. Property identification and animal identification numbers may deprive a person of their property rights. Loading and unloading horses alongside the freeway to wand their neck for microchips will create an extremely hazardous situation. We already have disease control practices in place that work. The diseases we are facing today occur exclusively on factory farms. In section 2 line 8, livestock imported into this state for immediate slaughter are exempt. In other words, sick or diseased animals are okay for our dinner table. The fees and bookkeeping required with NAIS will drive small farms, pleasure owners, and support industries out of business.

Persons Testifying: (In support) Representative B. Sullivan, prime sponsor; Representative Hailey, co-sponsor; Mary Beth Lang and Dr. Leonard Eldridge, Department of Agriculture; Jay Gordon, Washington Dairy Federation; and Jack Field, Washington Cattlemen's Association.

(Opposed) Carol Osterman; Celeste Bishop, Valerie Tinney, Jean Amundson, Fran Ogren, and Roger Amundson, NoNAIS; and Emmy McAllister and Arnie Knudson, Weston A. Price Foundation.

Persons Signed In To Testify But Not Testifying: None.